

ON THE THEORY OF DEMOCRACY*

My greatest interest is in nature – and natural science or cosmology. Once I gave up Marxism in July 1919, I was interested in politics and political theory only as a citizen – and a democrat. But the totalitarian movements of Left and Right that arose in the 1920s and early 1930s, and finally Hitler's seizure of power in Germany, forced me to give considerable thought to the problem of democracy.

Although my book *The Open Society and Its Enemies* did not once mention Hitler and the Nazis, it was intended as my contribution to the war against them. It is a theoretical defence of democracy against the old and new attacks of its enemies; it was first published in 1945 and has since been through many editions. But what I regard as its most important point seems not often to be properly understood.

As everyone knows, 'democracy' etymologically means 'rule by the people' or 'popular sovereignty', in contradistinction to 'aristocracy' (rule by the best or most distinguished) and 'monarchy' (rule by one individual). But the meaning of the word is not of any further help to us. For the people do not rule anywhere; it is always governments that rule (and unfortunately also bureaucrats or officials, who can be held accountable only with difficulty, if at all). Besides, Great Britain, Denmark, Norway, and Sweden are monarchies but also very good examples of democracies (except for Sweden perhaps, where an unaccountable fiscal bureaucracy exercises dictatorial powers) – quite unlike the German Democratic Republic, which unfortunately is nothing of the kind.

What is really at issue here?

* First published in *Der Spiegel* No. 32, 3 August 1987, pp. 54f.

There are in fact only two forms of state: those in which it is possible to get rid of a government without bloodshed, and those in which this is not possible. This is what matters – not what the form of state is called. Usually the first form is called ‘democracy’ and the second ‘dictatorship’ or ‘tyranny’. But it is not worth arguing over words (such as the German ‘Democratic’ Republic). All that counts is whether the government can be removed without bloodshed.

There are a number of such ways in which the government might be removed. The best method is a ballot: fresh elections or a vote in an already elected parliament can bring a government down. That certainly matters. It is therefore wrong to put the stress (as so many from Plato to Marx and even later have done) on the question: ‘Who should rule? The people (the proletariat) or the very best? The (good) workers or the (evil) capitalists? The majority or the minority? The party of the Left, the party of the Right or the party of the Centre?’ All these questions are wrongly posed. For it does not matter who rules if it is possible to get rid of the government without bloodshed. Any government that can be thrown out has a strong incentive to act in a way that makes people content with it. And this incentive is lost if the government knows it cannot be so easily ousted.

To show how important this simple theory of democracy is in practice, I should like to apply it to the problem of proportional representation. If I here criticize an electoral system anchored in the Federal Republic’s well-tried constitution, this should be seen simply as an attempt on my part to discuss something that is rarely discussed. Constitutions should not be changed lightly, but it is good to discuss them critically, if only so that we remain aware of their importance.

The democracies of continental Western Europe differ crucially from the electoral systems of the United Kingdom and the United States, which are based upon the principle of local representation. In Britain each constituency sends as its representative to Parliament the person who has gained the highest number of votes. Which party he belongs to, and indeed whether he belongs to one at all, is not officially taken into consideration. His duty is to represent his local constituents to the best of his knowledge and belief, whether or not they belong to any party. There are parties, of course, and they play a major role in the formation of governments. But if a representative thinks it is in his constituency’s (or perhaps the nation’s) interest for him to vote against his party, or even to break from it, he has an obligation to do so. Winston Churchill, the greatest statesman of our century, never simply toed the line and indeed twice changed his party. The situation is quite different on the Continent.

ON THE THEORY OF DEMOCRACY

Proportionality means that each party gets that number of representatives in parliament – in the Bundestag, for example – that most closely represents the votes cast for it in the country.

In this way parties are constitutionally anchored in the basic laws, and individual deputies are officially selected to represent their party. A deputy, then, cannot in certain circumstances have a duty to vote against his party. Indeed, he is morally bound to his party because he has been chosen to represent it and it alone. (Should he no longer be able to square this with his conscience, he has a moral duty to resign – even if the constitution does not require him to.)

I know, of course, that parties are needed: no one has yet come up with a democratic system that can manage without them. But political parties are not altogether satisfactory. On the other hand, things do not work without them. Our democracies are not people's governments but party governments – that is, party leaders' governments. For the larger the party, the less united and the less democratic it is, and the less influence those who voted for it have upon the party's leadership and programme. It is wrong to think that a parliament elected by proportional representation is a better reflection of the people and its wishes. It does not represent the people and its views but simply the influence that the various parties (and party propaganda) had upon the electorate on polling day. And it makes it more difficult for polling day to be what it could and should be: a day when the people judge the activity of the government.

There is no valid theory of popular sovereignty, then, no valid theory that requires proportional representation. We must therefore ask ourselves how proportional representation works out in practice: first, in the formation of governments, and second, in the crucially important matter of their removal.

1. The more parties there are, the more difficult it is to form a government. We know this from experience, but it also stands to reason. When there are only two parties, a government can easily be formed. But proportional representation makes it possible even for small parties to gain great (often decisive) influence over the formation of a government, and thus even over the government's decisions.

Everyone will agree that this is so, and everyone knows that proportional representation increases the number of parties. But so long as one takes the 'essence' of democracy to be popular sovereignty, one has to swallow these problems as a democrat because proportionality appears to be 'essential'.

2. Proportional representation, and therefore the multiplicity of parties, may have even worse consequences in the important matter of a

government's removal by the people's verdict in new parliamentary elections. First, people know that there are many parties and therefore hardly expect one of them to gain an absolute majority. So when things turn out as expected, the people's verdict has not actually been expressed against any of the parties. None of them has been thrown out, none has had judgement passed upon it.

Second, election day is not expected to be a day when the people judge the government. Sometimes it may have been a minority government, forced to make concessions and unable to do what it considered right; or else it may have been a coalition government for which none of the ruling parties was fully responsible.

By and by, people get used to holding none of the political parties, and none of their leaders, responsible for the decisions taken by the government. The fact that a party loses perhaps five or ten per cent of its vote is not seen by anyone as a guilty verdict – or at least not by the voters, not by the governed. All that it indicates is a momentary wavering in popularity.

Third, if a majority of voters want to throw out a majority government, it may not be possible for them to do it. For even if a party that has so far had an absolute majority (and could therefore be held responsible) loses its majority, it will still most probably be the largest single party under the proportional system, and therefore be able to form a coalition government with one of the smaller parties. In that case, the dismissed leader of the main party will continue to govern against the decision of the majority, by relying upon a small party that may be miles from representing 'the will of the people'. Moreover, such a small party may also bring down a government without new elections, without a fresh mandate from the electorate, and then form a different coalition government with the erstwhile opposition parties – in grotesque contradiction to the basic idea of proportional representation, which is that a party's influence should correspond to the number of its voters.

Such outcomes are frequent, and have come to be taken for granted where a large number of parties means that coalition governments are the rule.

It is quite true that similar things can happen in countries that do not have proportional representation – in the United Kingdom or the United States, for example. But there a tendency has developed for two major parties to compete with each other.

A form of elections that makes the two-party system possible seems to me the best form of democracy. For it always leads to self-criticism by the parties. If one of two major parties suffers disastrous defeat at

the polls, this usually leads to radical changes within the party. It is a result of competition, and of clear condemnation by the electorate that cannot be disregarded. Under such a system, then, parties are from time to time forced to learn from their mistakes or to go under. My remarks against proportional representation do not mean that I advise all democracies to give it up. I only want to give a new impetus to the debate. To think that the moral superiority of proportional representation can be logically derived from the idea of democracy, and that the Continental system is for this reason better, fairer, or more democratic than the Anglo-Saxon one, is a naive view that does not stand up to close scrutiny.

To sum up: the argument that proportional representation is more democratic than the British or American system is not tenable, because it has to refer to an outdated theory of democracy as government by the people (which rests in turn upon the so-called sovereignty theory of the state). This theory is morally defective and even unsustainable. It has been superseded by the theory of majority power of dismissal.

This moral argument is even more important than the practical argument that no more than two fully accountable competing parties are required to enable voters to sit in judgement on a government. Proportional representation creates the danger that the majority verdict at the polls, and hence the effect of defeat upon parties that is beneficial to democracy, will be regarded as a trivial detail. For there to be a clear majority verdict, it is important that the opposition party should be as good and strong as possible. Otherwise the voters are often forced to let a bad government go on governing, because they have reason to think that 'nothing else will be any better'.

Does my defence of the two-party system not conflict with the idea of an open society? Is not pluralist toleration of many views and theories characteristic of the open society and its quest for truth? Should this pluralism not be expressed in a multiplicity of parties? In reply, I should say that it is the function of a political party either to form a government or, in opposition, to keep a critical watch on the work of the government. One of the things to be critically watched is the government's toleration of various opinions, ideologies, and religions (in so far as these are themselves tolerant, for ideologies that preach intolerance lose their claim to be tolerated). Many ideologies will attempt, with or without success, to dominate a party or to found a new one. So there will be an interplay of opinions, ideologies, and religions, on the one side, and the main competing parties on the other.

THOUGHTS ON HISTORY AND POLITICS

But the idea that the variety of ideologies or world-views should be reflected in a multiplicity of parties appears to me politically misconceived – and not only politically but also as a view of the world. For too close an association with party politics is hardly compatible with the purity of a world-view.